UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/21
23 March 1992

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Second session
Geneva, 30 March-10 April 1992
Item 11 of the provisional agenda

REPORT ON STUDIES AND DOCUMENTATION FOR THE WORLD CONFERENCE

Report of the Secretary-General

1. It will be recalled that the General Assembly, in its resolution 46/116, called for the updating and preparation of certain publications for the World Conference on Human Rights. These publications are United Nations Action in the Field of Human Rights, Human Rights: A Compilation of International Instruments and Human Rights: Status of International Instruments. In the same resolution, the Secretary-General was requested to prepare a reference guide to all United Nations studies and reports on human rights and related aspects. The present document contains a status report on this work.

2. Pursuant to paragraph 4 V (a) of General Assembly resolution 46/116, the necessary tasks have been initiated, in consultation with other bodies and agencies of the United Nations system, to prepare a full inventory of United Nations studies and reports on human rights and related aspects, with a view to preparing a reference guide to such studies and reports. Based on the progress achieved to date, the Secretary-General expects to complete the manuscript for this project by the autumn of 1992. The Preparatory Committee may also wish to note that a human rights bibliography is under preparation by the United Nations Library at Geneva and the Centre for Human Rights. It is expected that the bibliography, in addition to being an important research tool for all, will assist in the development of the reference guide.

GE.92-11821/3447H

3. With respect to paragraph 4 V (d) of resolution 46/116, a substantial project has been undertaken with the aim of completing the manuscript of an updated and restructured United Nations Action in the Field of Human Rights by the autumn of 1992. The new publication will more coherently reflect the priorities of the United Nations human rights programme and is expected to be an important working tool in the preparatory process for the World Conference on Human Rights.

4. With respect to Human Rights: A Compilation of International Instruments and Human Rights: Status of International Instruments, the General Assembly requested, in paragraph 4 V (e) of resolution 46/116, that these publications be updated and their scope extended to include the texts of regional instruments on human rights. Contacts have been made with the regional human rights organizations responsible for such instruments, with the aim of compiling a full inventory of the texts to be included. It is expected that the two updated publications will be issued by the end of 1992.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/22
19 March 1992

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS

Preparatory Committee
Second session
Geneva, 30 March-10 April 1992
Item 11 of the provisional agenda

REPORT ON STUDIES AND DOCUMENTATION FOR THE WORLD CONFERENCE

Other meetings related to the preparatory process of the World Conference

Report of the Secretary-General

1. In its resolution 46/116, the General Assembly requested the Secretary-General to report to the Preparatory Committee on progress made on meetings that have been organized under the auspices of the United Nations human rights programme pursuant to Assembly resolution 45/155 (para. 4 V (b)).

2. The present report contains a list of meetings, those organized by the Centre for Human Rights and those held by intergovernmental and non-governmental organizations to which the Centre for Human Rights has been invited, of direct concern to the preparatory process for the World Conference. It includes both meetings which have already been held in accordance with the mandate set up by the General Assembly and meetings which are scheduled to be held.

3. Meetings which have already been held for the purposes of the World Conference include, in chronological order:

(a) World Congress on Human Rights (New Delhi, December 1990). The report of the Congress was submitted by the International Service for Human Rights, a non-governmental organization in consultative status with the Economic and Social Council, and is available in document A/CONF.157/PC/6/Add.7;

(b) Nordic Seminar on Human Rights (Laugarvatn, Iceland, 9-10 June 1991). The Seminar was organized by the Nordic Institutes of Human Rights. The report was submitted by the Government of Iceland and is available in document A/CONF.157/PC/7;

(c) Training Course on the Handling of Human Rights Information and Documentation for Library Staff (Geneva, October 1991). The Course was organized by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, of Lund, Sweden, co-sponsored by the United Nations Library at Geneva and the Office of the United Nations High Commissioner for Refugees in cooperation with several intergovernmental and non-governmental organizations. The report will be published jointly by the co-sponsors in the spring of 1992;

(d) International Workshop on National Institutions for the Promotion and Protection of Human Rights (Paris, 7-9 October 1991). The Workshop was held at the invitation of the Government of France and in cooperation with the French National Consultative Commission on Human Rights. The report of the Workshop is available in document E/CN.4/1992/43 and Add.1 and 2;

(e) Regional Seminar of Experts on Human Rights, Democracy, and Economic and Social Development (Santiago de Chili, 10-13 December 1991). The Seminar was organized by the Centre for Human Rights at the invitation of the Government of Chile. The report of the Seminar will be issued in spring 1992 as a publication of the Centre;

(f) European Conference on International Human Rights Standards (Barcelona, Spain, 13-17 January 1992). The report of the Conference, which was co-sponsored by the Centre for Human Rights, the City of Barcelona and the United Nations Association of Spain, is a forthcoming publication of the Centre for Human Rights;

(g) Workshop on Global Strategies for Achieving Fairness in the Courts: Domestic Violence (Geneva, 5 February 1992). The Workshop was organized by the University of Calgary Group for Research and Education in Human Rights, with the participation of the Inter-American Institute of Human Rights and the International Commission of Jurists. A report on the Workshop will be issued by summer 1992.

4. Meetings for the purposes of the preparatoy process for the World Conference which are being planned or to which invitations have been received include, in chronological order:

(a) Technical Conference on Practical Experience in the Realization of Sustainable and Environmentally Sound Self-Development by Indigenous Peoples (Santiago de Chili, 18-22 May 1992). The Conference will be organized by the Centre for Human Rights at the invitation of the Government of Chile; the report of the Conference will be prepared by the Centre;

(b) Conference on Regional Systems of Human Rights Protection in Africa, America and Europe (Strasbourg, France, 15-19 June 1992). The Conference will be organized by the Friedrich-Naumann Stiftung of Germany in cooperation with the European Commission on Human Rights;

(c) Conference on Media and Human Rights (Sintra, Portugal, 29 June-5 July 1992). The Conference will be hosted by the International Academy for Development in Freedom;

(d) Third International Dialogue on the Transition to Global Society: The Transition to a Just Society (Landegg Academy, Switzerland, 7-12 September 1992). The Dialogue is co-sponsored by a number of non-governmental organizations, including the Baha'i International Community, Human Rights Advocates, the Institute of International Education and Development, the International Council of Women and the International Foundation for the Survival and Development of Humanity;

(e) An academic conference on human rights, to be held by the American Society of International Law, is tentatively scheduled for November 1992 at the campus of the University of Virginia, Charlottesville, United States of America;

(f) A Nordic seminar on human rights, to be convened by the Nordic Institutes of Human Rights, is tentatively scheduled to take place in Sweden in January 1993.

(g) Conference on Human Rights Education and Democracy (Montreal, Canada, February 1993). This Conference, which will be convened by UNESCO, will be preceded by three meetings:

(i) Seminar on Academic Freedom (Lund, Sweden, 9-11 March 1992). The Seminar was organized by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law and co-sponsored by UNESCO, the Standing Conference of Rectors, Presidents and Vice-Chancellors of the European Universities, and the World University Service. The report of the Seminar will be published by the Raoul Wallenberg Institute in spring 1992;

(ii) International Conference on Academic Freedom and University Autonomy (Sinaia, Romania, 5-7 May 1992). The Conference will be co-sponsored by the European Centre for Higher Education of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Romanian National Commission for UNESCO and the National Rectors' Conference of Romania in cooperation with the Standing Conference of Rectors, Presidents and Vice-Chancellors of the European Universities and the Council of Europe;

(iii) An expert meeting on academic freedom will take place at the Human Rights Centre in Poznan, Poland in November 1992.

5. The Centre for Human Rights has been informed of several additional initiatives aiming at meetings which may further contribute to the preparatory process leading to the World Conference. The Centre will inform the Preparatory Committee about these events as soon as the details are available.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/23
17 March 1992

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS

Preparatory Committee
Second session
Geneva, 30 March - 10 April 1992
Items 5, 6, 10 and 11 of the provisional agenda

PROVISIONAL AGENDA FOR THE WORLD CONFERENCE AND RELATED DOCUMENTATION

DRAFT RULES OF PROCEDURES FOR THE WORLD CONFERENCE

REGIONAL MEETINGS

REPORT ON STUDIES AND DOCUMENTATION FOR THE WORLD CONFERENCE

Recommendations to the Preparatory Committee at its second session for the World Conference on Human Rights submitted by United Nations human rights treaty bodies

Report of the Secretary-General

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RECOMMENDATIONS SUBMITTED BY UNITED NATIONS
HUMAN RIGHTS TREATY BODIES

Recommendations by the Committee on Economic, Social and Cultural Rights to the Preparatory Committee for the World Conference on Human Rights*

The Committee on Economic, Social and Cultural Rights,

Pursuant to paragraph 9 of General Assembly resolution 45/155 of 18 December 1990, paragraph 5 of Commission on Human Rights resolution 1991/30 of 5 March 1991, decision PC/6 adopted on 13 September 1991 by the Preparatory Committee for the World Conference on Human Rights at its first session and paragraph 4 VI of General Assembly resolution 46/116 of 17 December 1991,

Recalling the principle that all human rights and fundamental freedoms are indivisable, interdependent and interrelated and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of another,

Aware of the fact that economic, social and cultural rights are faced with a new challenge as more and more States find themselves in a stage of political as well as economic transition,

Emphasizing that it is precisely in such transition periods that the international obligations incumbent upon States parties to the Covenant on Economic, Social and Cultural Rights assume their primary importance for the particularly vulnerable members of society,

Convinced that, in the words of the Secretary-General of the United Nations, genuine political democracy has little chance to survive, and stability is bound to prove elusive, without social justice.

1. Decides to request its Chairperson or other designated members of the Committee to represent it at all further sessions of the Preparatory Committee of the World Conference on Human Rights;

2. Adopts the following recommendations to the Preparatory Committee:

(a) An energetic and concerted effort should be made both during the process of preparation of the World Conference and at the Conference itself, to induce States Members of the United Nations that have not yet done so to become parties to the two International Covenants, and thus to take a decisive step towards attaining universality of participation in these two basic instruments;

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* Adopted by the Committee at its 23rd meeting (sixth session), held on 10 December 1991.

(b) States parties to the two International Covenants as well as to other human rights treaties should be encouraged to comply fully with their reporting obligations;

(c) A specific item relating to the activities of the treaty bodies of the United Nations human rights system should be included in the agenda of the World Conference;

(d) The agenda of the Conference should be organized in a manner that the rights enshrined in the Covenant on Economic, Social and Cultural Rights are given due emphasis;

(e) Members of the United Nations human rights treaty bodies should be invited to contribute as observers by taking part as appropriate in the work of the World Conference

(f) A meeting of members of human rights treaty bodies should be convened as part of the preparatory process of the World Conference in order to facilitate a comprehensive evaluation of the work of the treaty bodies with a view to making joint recommendations for the improvement of their functioning;

(g) Efforts should be made by the United Nations to give effect to the principle, enunciated in the 1968 Proclamation of Teheran, that human rights are interrelated, interdependent and indivisible;

(h) Efforts to popularize the idea that human rights are indivisible, interdependent and interrelated should be encouraged and promoted in seminars and workshops;

(i) Efforts should be made to win acceptance for the idea that the degree to which economic, social and cultural rights are exercised is an indication of a country's level of development, and hence to:

(i) Secure agreement that international development financing institutions should, in devising methods of assessing countries' development efforts, include the yardstick of exercise of economic, social and cultural rights in order to ensure that individuals are the beneficiaries of progress made by States in the field of development;

(ii) Encourage a better approach, nationally and regionally, to the human rights aspect of development programmes;

(iii) Encourage, by means of financial measures, efforts by countries committed to democracy, so as to help them give effect to economic, social and cultural rights; and support, by means of advisory services, efforts by countries engaged in democratic reform (transition), helping them to set up the appropriate institutions;

(j) Action should be taken to give effect to article 23 of the Covenant on Economic, Social and Cultural Rights by launching discussions on the various categories of rights covered by the Covenant in order to arrive at recommendations at the international level, in order to help the appropriate United Nations bodies to provide better support for the promotion of economic, social and cultural rights. This will encourage dialogue between experts, Governments, international institutions, non-governmental organizations and bodies monitoring the Covenant (the Committee), and help them to arrive at a clearer understanding of all the aspects and practical steps that could further the implementation of the Covenant;

(k) Efforts at coordination among the international bodies responsible for development (World Bank, International Monetory Fund), specialized agencies and treaty-monitoring bodies are needed in order to permit a better assessment of the impact that such agreements have on development in States parties, and their shortcomings;

(l) The list of issues to be examined during the preparatory process should include the following topics relating to more effective implementation of international instruments on human rights, particularly of reporting obligations under such instruments:

(i) Ways and means of improving and facilitating both the preparation of States parties' reports and their assessment by the supervisory bodies as, for instance:

Better coordinated reporting cycles;

Sufficient meeting time for the treaty bodies;

More efficient use of advisory services by, among other things, employing the expertise of members of treaty bodies both in the preparation of reports and in the process of bringing domestic legislation and practice into conformity with international obligations;

Consolidation of the reports to be submitted by States parties to the various supervisory bodies (possibly going as far as the preparation of one single comprehensive report divided into various chapters addressed to the different treaty bodies);

Preparation of auxiliary documentation, e.g. a compilation of all general comments and concluding observations rendered by the treaty bodies, studies on common and overlapping provisions contained in the various human rights instruments and their application and interpretation by the different treaty bodies;

The elaboration of appropriate indicators to better evaluate progress made by States in complying with their treaty obligations;

(ii) The feasibility and desirability of entrusting the monitoring of compliance with new human rights instruments to already existing supervisory bodies as well as the possibility of adopting new treaty obligations in the form of additional protocols to already existing instruments, particularly the two International Covenants;

(iii) The feasibility and desirability of a merger of some or all existing supervisory bodies into one or two committees, for instance one committee to monitor compliance with civil and political rights and non-discrimination and a second committee entrusted to supervise compliance with economic, social and cultural rights;

(iv) The creation of an adequate follow-up to reporting;

(v) Ways and means to induce States to comply with their reporting obligations on time as well as in conformity with the guidelines devised by the supervisory bodies;

(vi) Ways to encourage States to submit their reports in conformity with the guidelines devised by the supervisory bodies;

(vii) Methods of increasing and consolidating the expertise of the treaty bodies in their respective fields, as, for instance, days of discussion during committee sessions, seminars and workshops;

(viii) Ways of facilitating communication between the supervisory bodies and non-governmental organizations;

(ix) Ways to improve the overall quality of the reports of the supervisory bodies, with a view also to rendering them more interesting to the general public, including the feasibility of preparing "country reports" consolidated from the respective parts of the annual reports submitted by the supervisory bodies;

(x) Ways to secure that the reports submitted by the treaty bodies are given more adequate consideration in the various annual reports and similar documentation prepared through the United Nations as well as its specialized agencies;

(xi) The possibility of establishing a programme of advising States as to the most effective methods of incorporating international human rights instruments into their domestic legal orders;

(m) The States Members of the United Nations should provide the work of the organization in the field of human rights, in particular the Geneva Centre for Human Rights, with a more adequate financial basis, commensurate with the increase of human rights-related activities of the Organization, and including

full funding of treaty bodies from the regular United Nations budget or through the appropriate financial arrangements enabling all of these committees to operate effectively on a permanent basis;

(n) Steps should be taken to ameliorate the efficiency of the Centre for Human Rights by strengthening its staff, in particular by recruiting new personnel already having experience in international human rights matters, by revising the Centre's internal organization of work and bringing to bear modern management techniques;

(o) The Preparatory Committee as well as the World Conference should further explore the following more far-reaching issues:

(i) The establishment of High Commissioner for Human Rights;

(ii) The creation of an International Court for Human Rights;

(iii) The establishment of a (research) Institute for Human Rights connected with the Geneva Centre;

(iv) Cooperation and coordination with regional systems for the protection of human rights;

(p) Analytical and action-oriented studies should be prepared on the following topics:

(i) Effective implementation of international instruments on human rights, including reporting obligations under such instruments (revision and updating of United Nations document A/44/668 of 8 November 1989);

(ii) Objectives of reporting;

(iii) Feasibility of an optional protocol to the International Covenant on Economic, Social and Cultural Rights, providing for an individual communication procedure;

(iv) Obstacles preventing the full realization of economic, social and cultural rights, particularly in developing countries;

(v) The situation of particularly vulnerable members of society with regard to the enjoyment of economic, social and cultural rights;

(vi) Economic and social indicators appropriate for the evaluation of the performance by States parties to the International Covenant on Economic, Social and Cultural Rights of their respective treaty obligations.

Contribution of the Committee on the Elimination of Discrimination against Women to the World Conference on Human Rights 1993*

The Committee on the Elimination of Discrimination against Women requests that the question of the equal enjoyment of human rights and fundamental freedoms by women be fully reflected in the agenda of the Conference and, in particular, the close relationship between the rights guaranteed by the Convention on the Elimination of All Forms of Discrimination against Women and those guaranteed under the other international human rights instruments.

Such a theme would emphasize that women's equality is a significant human rights issue and, to this end, attention should be given to the extent to which this issue has been addressed effectively by the implementation methods and mechanisms under human rights covenants and conventions.

The Committee requests the Secretary-General to ensure that, as far as possible, documentation prepared for the World Conference on Human Rights in accordance with paragraph 4 V (a) of General Assembly resolution 46/116 includes a gender perspective.

The Committee suggests that the Secretary-General of the United Nations take steps to initiate the translation of the Manual on Human Rights Reporting prepared by the United Nations Institute for Training and Research and the Centre for Human Rights into all the official languages of the United Nations as soon as possible and distribute it to all States parties to the Convention on the Elimination of All Forms of Discrimination against Women.

The Committee suggests that the Secretary-General prepare a publication on the Convention on the Elimination of All Forms of Discrimination against Women and the work of the Committee in like manner as the Fact Sheets for other human rights instruments and bodies.

Recommendation by the Committee on the Rights of the Child to the Preparatory Committee for the World Conference on Human Rights**

The Committee on the Rights of the Child,

Pursuant to paragraph 9 of General Assembly resolution 45/155 of 18 December 1990 and paragraph 5 of Commission on Human Rights resolution 1991/30 of 5 March 1991,

1. Designates its Chairperson as its representative to the meetings of the Preparatory Committee for the World Conference on Human Rights;

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* Adopted by the Committee at its eleventh session (January 1992).

** Adopted by the Committee at its 27th meeting (first session), held on 18 October 1991.

2. Adopts the following recommendations:

(a) A specific item relating to the activities of the human rights treaty bodies should be included in the agenda of the World Conference;

(b) The agenda of the Conference should be organized in a manner that the rights of the child are given due emphasis. A specific item should also be included for the purpose of discussing the Convention on the Rights of the Child as an illustration of the indivisibility and interrelationship of different human rights;

(c) The list of issues to be explored during the preparatory process should include:

(i) Improving the effectiveness of the existing human rights treaty bodies;

(ii) Ways and means of strengthening the material and human resources of the Centre for Human Rights;

(d) All members of the treaty bodies of the United Nations human rights system should be invited to participate in the World Conference;

(e) A meeting of members of human rights treaty bodies should be convened as part of the preparatory process in order to faciitate a comprehensive evaluation of the work of the treaty bodies with a view to making recommendations for the improvement of their functioning;

(f) The holding of national, regional and international workshops and seminars should be encouraged during the preparatory process and their results should be presented to the World Conference;

(g) Special studies should be undertaken during the preparatory process to enable the World Conference to implement the provisions contained in paragraph 1 (b) of General Assembly resolution 45/155.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/24
25 March 1992

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS

Preparatory Committee
Second session
Geneva, 30 March - 10 April 1992
Item 11 of the provisional agenda

REPORT ON STUDIES AND DOCUMENTATION FOR THE WORLD CONFERENCE

Recommendations to the World Conference on Human Rights and its preparation submitted pursuant to paragraph 10 of General Assembly resolution 45/155

Report of the Secretary-General

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GE.92-11842/9209a

Introduction

1. At its forty-fifth session, the General Assembly adopted resolution 45/155 of 18 December 1990 entitled "World Conference on Human Rights". In paragraph 10 of that resolution, the General Assembly requested non-governmental organizations concerned with human rights to undertake reviews and submit recommendations on the Conference and its preparation to the Preparatory Committee through the Secretary-General. Pursuant to paragraph 11 of the same resolution, whereby the General Assembly requested the Secretary-General to submit a report to the Preparatory Committee on the contributions made pursuant, inter alia, to paragraph 10, recommendations have been received by non-governmental organizations in consultative status with the Economic and Social Council.

2. In continuation of the recommendations contained in document A/CONF.157/PC/6 and Add. 1-8, recommendations from the Special Committee of International Non-Governmental Organizations on Human Rights at Geneva and its Sub-Committee on the Status of Women have been received.

RECOMMENDATIONS SUBMITTED BY NON-GOVERNMENTAL ORGANIZATIONS IN CONSULTATIVE STATUS

NGO statement requesting a study on human rights and traditional practices

3. The objectives of the World Conference on Human Rights, according to General Assembly resolution 45/155, are to review and assess progress in human rights since the adoption of the Universal Declaration of Human Rights; to identify obstacles and ways in which they might be overcome; to examine the relationship between development and the enjoyment by everyone of economic, social and cultural rights as well as civil and political rights; to examine ways to improve the implementation of human rights standards and instruments; to evaluate the effectiveness of the methods and mechanisms used by the United Nations; and to make concrete recommendations for improving the effectiveness of the United Nations activities and mechanisms and for the resources needed to that end.

4. Virtually all delegates to the first session of the Preparatory Committee for the World Conference spoke of the universality of human rights and underlined the indivisibity of political, civil, economic, social and cultural rights. It was generally accepted that respect for human rights, democracy and development are interrelated and that poverty breeds oppression while education and training, at both the individual and State level, is an effective remedy against the violation of human rights. There are, however, less easily discernible issues which require attention.

5. We, the undersigned non-governmental organizations*, note that the invocation of customary law and tradition, in all its aspects, often forms a major obstacle to the unreserved acceptance of human rights standards by States. Despite the importance of the subject, there is no easily accessible document on the way in which existing community norms and behaviour approach contemporary international human rights standards. Nor, on the other hand, is it known how they function to limit and/or impede those rights and freedoms laid down in the Charter of the United Nations, the Universal Declaration and other human rights instruments. A measure of the problem is evident in the reservations which States parties attach to international instruments.

6. Equally, little is known of the circumstances that may trigger a change in community attitudes and traditions and thus ensure harmony with changing economic, social and political conditions. There are, however, many studies in social psychology and other disciplines which are relevant and could provide useful insights. As one speaker at the first session of the Preparatory Committee said, "... international politics is no longer the sheer exercise of power - it is the embodiment of the concrete realization of values corresponding to the present stage of civilization". Before such a concrete realization can take place, an essential stage must be to understand, and take account of, the dynamics of change in community thinking.

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* The list of participating NGOs is annexed.

7. Such basic information on the dynamics of change in community norms and tradition is also the key to the success of any worldwide training and educational activities in support of human rights. The need for such programmes was emphasized time and time again by delegates at the first session.

8. It is for these reasons that we, the undersigned non-governmental organizations, recommend the preparation of a report on the role and function of customary norms and tradition as they affect the enjoyment of human rights by the individual and society. The report is to be prepared under the supervision of the Centre for Human Rights and submitted to the World Conference on Human Rights in 1993 as an integral part of the documentation prepared for this event. The report should take into account the effect of law, custom and stereotyping on the acceptance by the community of contemporary international human rights standards. In order to allow for the widest possible consultation, a first draft of the report should be made available to the third session of the Preparatory Committee for the World Conference on Human Rights.

9. It is further recommended that all sectors of the United Nations system, Governments, international and national organizations and institutions, and non-governmental organizations include in their reports to the Preparatory Committee for the World Conference an assessment of how far law, custom and stereotyping are advancing or impeding their respective aims and objectives.

ANNEX

Category I

International Alliance of Women
International Council of Women
International Council on Social Welfare
International Movement ATD Fourth World
International Planned Parenthood Federation
International Union of Family Organizations
Soraptomist International
World Assembly of Youth
World Federation of Democratic Youth
World Federation of United Nations Association
World Muslim Congress
Zonta International

Category II

African Association of Education for Development
Afro Asian People's Solidarity Association
All-India Women's Conference
American Association of Jurists
American Association of Retired Persons
Associated Country Women of the World
Baha'i International Community
Caritas International
General Arab Women's Federation
International Agency for Rural Industrialization
International Association of Democratic Lawyers
International Association of Penal Law
International Commission of Jurists
International Council of Jewish Women
International Federation of Resistance Movements
International Federation of Social Workers
International Federation of University Women
International Federation of Women Lawyers
International Federation of Ageing
International Fellowship of Reconciliation
International Races and Peoples
International Senior Citizens Association
Italian Centre of Solidarity
Law Association for Asia and the Pacific
Medical Women's International Association
Pan-African Women's Organization
Pan-Pacific & South-East Asia Women's Association
Socialist International Women
Women's International League for Peace and Freedom
World Association of Girl Guides and Girl Scouts
World Teaching Profession
World Federation for Mental Health
World Federation of Methodist Women

World Union of Catholic Women's Organizations
World University Service
World Young Women's Christian Association

Roster

Indian Council of South America
International Association of University Presidents
International Confederation of Ex-Prisoners of War
International Movement of Apostolate of Children
La Leche League International Inc.
World Christian Life Community
World Peace Council

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UNITED NATIONS

General Assembly

Distr.
GENERAL

A/CONF.157/PC/24/Add.1
25 March 1992

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Second session
Geneva, 30 March-10 April 1992
Item 5 of the provisional agenda

PROVISIONAL AGENDA FOR THE WORLD CONFERENCE AND RELATED DOCUMENTATION

Recommendations to the World Conference on Human Rights and its preparation submitted pursuant to paragraph 10 of General Assembly resolution 45/155

Report of the Secretary-General

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RECOMMENDATIONS SUBMITTED BY NON-GOVERNMENTAL ORGANIZATIONS IN CONSULTATIVE STATUS

International Federation on Ageing .....

GE.92-11848/9211a

Age discrimination - a necessary theme for the World Conference on Human Rights

1. The subject of age discrimination is a relative newcomer on the international and, in most cases, the national human rights scene. Age is one of the few categories not specifically listed in international human rights instruments, including the Universal Declaration of Human Rights, as deserving special protection.

2. The reasons for this are several. It is only very recently that the world has awakened to the historic phenomenon of global population ageing, resulting in the elderly constituting the fastest-growing age group in the population of most developed and developing nations. The appearance of advocacy organizations representing the interests of the elderly at the national and international levels is likewise a relatively recent development.

3. At the same time, philosophically, "ageism", as both de jure and de facto forms of age discrimination have been called, has been considered a lesser evil - one that is less pervasive and debilitating than other forms of discrimination, such as racism and sexism. However, "ageism, like racism or sexism, segregates on the basis of a characteristic - one which the individual has neither chosen nor has the power to change". 1/ Nor is age discrimination any different from other forms of discrimination in the impact it has on the lives of older persons. The existence of compulsory retirement policies, for example, relegates many to spending their remaining years in absolute or relative poverty and prevents them from exercising their creative and productive skills for the benefit of society. (It also violates article 6 of the International Covenant on Economic, Social and Cultural Rights which establishes the right to work.)

4. The effect of ageism goes beyond its direct impact on older persons. "Ageism" allows the younger generations to see older people as different from themselves; thus, they subtly cease to identify with their elders as human beings." 2/ (This behaviour, in turn, guarantees their own neglect in old age.)

5. Ageism is a serious issue for both developed and developing countries. While mandatory retirement policies, for example, at this point affect a proportionately greater number of persons in industrialized than in developing nations, the relegation of older persons to the sidelines of the development process reflects a similar insensitivity on the part of developing nations to the contribution elders can still make to their communities.

6. Fortunately, concern for the rights of older persons is rising. While only the United States, at this time, has enacted national legislation specifically prohibiting age discrimination in employment and mandatory retirement for most categories of work, the American experience with this piece of legislation has attracted the attention of legislators and policy makers worldwide. In December 1991, the United Nations General Assembly

approved by consensus a set of United Nations Principles for Older Persons which, in 18 principles, assures older persons of the world independence, participation, care, self-fulfilment and dignity.

7. However, progress against age discrimination will remain a difficult struggle for many years. For this reason, the International Federation on Ageing urges the Preparatory Committee for the World Conference on Human Rights to include ageing as part of the agenda for the World Conference.

Notes

1/ H. Eglit, 3 Age Discrimination 1-4 (United States, 1986).

2/ R.N. Butler, Why Survive?: Being Old in America 11 (1975); see also S. de Beauvoir, Coming of Age (1973).

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/CONF.157/PC/24/Add.2
27 March 1992

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS

Preparatory Committee
Second session,
Geneva, 30 March-10 April 1992
Item 5 of the provisional agenda

PROVISIONAL AGENDA FOR THE WORLD CONFERENCE AND RELATED DOCUMENTATION

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International Women's Tribune Centre 2

GE.92-11918/3486H

RECOMMENDATIONS SUBMITTED BY NON-GOVERNMENTAL ORGANIZATIONS IN CONSULTATIVE STATUS

International Women's Tribune Centre

1. The International Women's Tribune Centre, on behalf of the organizations listed in the annex, is sending this document to accompany the boxes of petitions gathered by women from 60 countries representing all regions of the world. The petitions, signed by 65,000 people, request the 1993 United Nations World Conference on Human Rights to "comprehensively address women's human rights at every level of its proceedings" and specifically call upon it to recognize that "violence against women violates human rights".

2. This initiative emerged out of the growing concern on the part of many around the world that women's rights are not viewed as full and critical human rights matters. In particular, we believe that the massive violence in women's daily lives constitutes one of the most pervasive and insidious, yet least recognized, violations of human rights in the world today. This petition drive began on 25 November, International Day Against Violence Against Women, and has been adopted by grass roots groups around the world. It has been translated into 10 languages, reproduced in numerous publications, passed around at demonstrations, in classrooms, at meetings and in development projects. Signatures have arrived on individual postcards, by fax, in hand-delivered envelopes from places as diverse as Korea, Germany, Costa Rica, Sudan and India, and in special delivery boxes, such as the 20,000 from Turkey.

3. Our requests to the Preparatory Committee are both general and very specific.

4. First, we ask that the World Conference on Human Rights "comprehensively address women's human rights at every level of its proceedings". The specific situation of women should be examined in relation to every agenda item. This means not only a separate session on women, but a systematic effort to integrate a gender perspective into all discussions of civil and political as well as socio-economic rights. By adopting a gender perspective, we mean looking specifically at how the human rights of women are violated and at how human rights violations often affect men and women differently. This requires in-depth consideration of the specific shape that differences in the treatment of men and women take, with a view toward eliminating the discriminatory aspects of the differences. For example, in discussing political prisoners it is important to document and highlight the sexually determined facets of torture and imprisonment; likewise, an assessment of the right to development should include an examination of how malnutrition or land rights affect women in distinct ways.

5. As the Committee on the Elimination of Discrimination Against Women requested, the World Conference should "emphasize that women's equality is a significant human rights issue and, to this end, attention should be given to the extent to which this issue has been addressed effectively by the

implementation methods and mechanisms under human rights covenants and conventions" (CEDAW/C/1992/L.1/Add.14). This process requires detailed examination of the failure of existing procedures to protect and promote women's human rights at all levels.

6. Towards this end, background material prepared by the secretariat for the Conference should include information on the specific impact of the issues on women. Such material is often not readily available and needs to be gathered in consultation with women's groups and other non-governmental organizations, such as international human rights groups. The secretariat could also request that Governments include specific data on women in preparing their documentation.

7. Second, we are specifically requesting that the Conference consider "gender violence, a universal phenomenon which takes many forms across culture, race and class", and that such violence "be recognized as a violation of human rights requiring immediate action". The forms of violence women suffer are many and various, but they all deomonstrate a consistent disregard for the principles of the Universal Declaration of Human Rights that "everyone has the right to life, liberty and security of person" (art. 3) and that "no one shall be subject to torture or cruel, inhuman or degrading treatment or punishment" (art. 5).

8. Yet women have these rights violated everyday through the pervasiveness of gender violence. As CEDAW stated in its general recommendation No. 19 on violence against women (eleventh session, 1992), "gender-based violence is a form of discrimination which seriously inhibits women's ability to enjoy rights and freedoms on a basis of equality with men". Gender-based violence is that "which is directed against a woman because she is a women or which affects women disproportionately. It includes acts which inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty" (CEDAW/C/1992/L.1/Add.15). We urge the Preparatory Committee to ensure that the Conference addresses such violence as a vital human rights concern.

Annex

NON-GOVERNMENTAL ORGANIZATIONS IN CONSULTATIVE STATUS
WHICH HAVE CO-SIGNED THE DOCUMENT

Category I

International Alliance of Women
International Council of Women
International Federation of Business and Professional Women
Soroptimist International
Women's International Democratic Federation
Zonta International

Category II

International Abolitionist Federation
International Association of Women in Radio and Television
International Council of Jewish Women
International Federation of University Women
Pan-Pacific South-East Asia Women's Association
Women's International League for Peace and Freedom
World Association of Girl Guides and Girl Scouts
World Confederation of Organizations of the Teaching Profession
World Federation of Methodist Women

Roster

European Union of Women
International Women's Tribune Centre
Third World Movement Against the Exploitation of Women

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/CONF.157/PC/25
17 March 1992

ENGLISH
Original: SPANISH

WORLD CONFERENCE ON HUMAN RIGHTS

Preparatory Committee
Second session
Geneva, 30 March-10 April 1992
Item 11 of the provisional agenda

REPORT ON STUDIES AND DOCUMENTATION FOR THE WORLD CONFERENCE

Letter dated 17 February 1992 from the Permanent Representative of Venezuela to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights

As Coordinator of the Latin American and Caribbean Group for matters relating to the Preparatory Committee of the World Conference on Human Rights, I have the honour to request that the annex to this letter, containing topics which the Group proposes for consideration by the World Conference on Human Rights, should be regarded as an official document of the Preparatory Committee at its second session.

(Signed) Horacio Arteaga
Ambassador
Permanent Representative

GE.92-11809/3455H

ANNEX

TOPICS PROPOSED BY THE LATIN AMERICAN AND CARIBBEAN GROUP FOR CONSIDERATION BY THE WORLD CONFERENCE ON HUMAN RIGHTS

1. The effects of poverty, underprivileged status and violence on the full enjoyment of human rights

2. Effectiveness of the administration of justice

3. The relationship between levels of economic development, budgets and the real abilities of States to allocate sufficient resources to support the administration of justice in a manner guaranteeing human rights

4. Summary of conclusions arrived at in different bodies and documents relating to the enjoyment of the right to development

5. Effects of economic adjustment policies and international factors, including external debt, on the enjoyment of all human rights, in particular economic, social and cultural rights

6. The relationship between development, democracy and the universal enjoyment of economic, social and cultural, civil and political rights, and the importance of bringing about conditions conducive to the full enjoyment by all mankind of these rights in accordance with the principles and purposes of the Charter of the United Nations

7. New forms of racism and xenophobia and their effects on the observance and effective enjoyment of human rights and fundamental freedoms

8. Current state of implementation or formulation of international instruments on the human rights of women, children, migrant workers and their families, indigenous peoples, refugees, displaced persons and other vulnerable groups

9. Evaluation of the advisory services provided by the Centre for Human Rights

10. Strengthening of national human rights institutions

11. Coordination between the various United Nations bodies and agencies concerned with instruction and training in human rights

12. Effects of ethnic cultural, religious, moral and social characteristics on the application of international instruments

13. Importance of international cooperation in all areas where support is needed for national efforts to bring about the full enjoyment of all human rights

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UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/26
17 March 1992

ENGLISH
Original: SPANISH

WORLD CONFERENCE ON HUMAN RIGHTS

Preparatory Committee
Second session
Geneva, 30 March - 10 April 1992
Item 6 of the provisional agenda

DRAFT RULES OF PROCEDURE FOR THE WORLD CONFERENCE

Letter dated 17 February 1992 from the Permanent Representative of Venezuela to the United Nations Office at Geneva addressed to the Under-Secretary-General for Human Rights

As Coordinator of the Latin American and Caribbean Group (LACG) for matters relating to the Preparatory Committee for the World Conference on Human Rights, I have pleasure in requesting you to ensure that the attached annex containing amendments by LACG to the draft provisional rules of procedure for the World Conference on Human Rights (A/CONF.157/PC/8) is considered as an official document of the second session of the Preparatory Committee.

(Signed) Horacio ARTEAGA
Ambassador
Permanent Representative

GE.92-11815/9229a

ANNEX

Amendments to the draft rules of procedure for the World Conference on Human Rights (A/CONF.157/PC/8)

1. Rule 25

Replace by rule 49 of the rules of procedure of the functional commissions of the Economic and Social Council, which reads: "A representative may at any time move the adjournment of the debate on the item under discussion. Permission to speak on the motion shall be accorded only to two representatives favouring and to two opposing the adjournment, after which the motion shall be put to the vote immediately".

2. Rule 29

Replace by rule 28 of the rules of procedure of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace (Nairobi, 9-26 July 1985), which reads: "Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations. Unless the Conference decides otherwise, substantive proposals shall be discussed or put to the vote no earlier than twenty-four hours after copies have been circulated in all languages of the Conference to all delegations".

3. Rule 33

Delete and reinsert as rule 35, paragraph 1.

4. Rule 35

Paragraph 1: The text of rule 33.

Paragraph 2: Replace "rule 33" by "the preceding paragraph".

Paragraph 3: Replace by rule 34, paragraph 3, of the rules of procedure of the Nairobi Conference, which reads: "If the question arises as to whether a matter is one of procedure or of substance, it shall be decided by the Conference by a majority of the representatives present and voting".

5. Rule 41

Replace by rule 63 of the rules of procedure of the functional commissions of the Economic and Social Council, which reads: "An amendment is a proposal that does no more than add to, delete from or revise part of another proposal".

6. Rule 47

In the first line, delete "in the Conference".

7. Rule 49

Delete.

8. Rule 51

Replace "representatives" by "participants".

9. Rule 52

Subparagraph (a)

Redraft to read: "(a) The Chairmen of the Credentials Committee, the Main Committees, other committees, subcommittees and working groups...".

Subparagraph (b)

Redraft to read: "(b) Decisions of the Main Committees, other committees, subcommittees and working groups...".

10. Rule 53

In the second line, replace "languages of the Conference" by "official and working languages of the Main Committees, other committees, subcommittees and working groups of the Conference".

11. Rule 55

Replace "made available" by "circulated".

12. Rule 56

Replace the last sentence by "No such recordings shall be made of the meetings of the working groups unless otherwise decided by the Conference or the Main Committee concerned".

13. Rule 58

Delete.

14. Rule 59

Delete.

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/CONF.157/PC/27
26 March 1992

ENGLISH
Original: SPANISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Second session
Geneva, 30 March - 10 April 1992
Item 5 of the provisional agenda

PROVISIONAL AGENDA FOR THE WORLD CONFERENCE AND RELATED DOCUMENTATION

Note verbale dated 20 March 1992 from the Permanent Mission of Ecuador to the United Nations Centre for Human Rights

The Permanent Mission of Ecuador to the United Nations Office at Geneva would be grateful if the Centre for Human Rights would arrange for the Mission's comments on the purposes, objectives and aims of the World Conference on Human Rights which is to be held in 1993 could be included among the working papers of the Preparatory Committee for the Conference.

GE.92-11861/3515H

PURPOSES, OBJECTIVES AND AIMS OF THE WORLD CONFERENCE ON HUMAN RIGHTS

Comments by the delegation of Ecuador

Introduction

1. As we approach the end of the second millennium, events marking the transition between two epochs are opening up new opportunities for the world's men and women to achieve a human destiny. Nineteen eighty-nine was par excellence the year that signalled the start of the new scenario. The demolition of the Berlin wall, the end of the ideological struggle, and what are becoming worldwide processes such as the spread of democracy are creating new possibilities for understanding, peace and progress.

2. But this whole promising mosaic of fresh prospects is overshadowed by the persistence of poverty, which has recrudesced in many areas, especially those that have been and are living through wasted decades and where outright social regress is occurring under the effect of resurgent nationalist extremism; of the intransigence and intolerance fostered by a world that is becoming increasingly one-dimensional, when the enrichment of life comes from diversity; of the crushing external debt which imposes financial cutbacks that are bleeding the third world white; of unfavourable terms of trade in countries that make their living from commodities; of grave and widening disparities in the level of scientific and technological development which is the key to power and modernization; of the dominating power of transnationalization, negating the principles of free competition, of which monopoly is the antithesis; of a growing protectionist trend that has nothing to do with liberalism; and, above all, of the tragic fact that the world is losing the ethical basis which is the essence and necessary condition of human development.

Objectives of the World Conference on Human Rights

3. The 1993 World Conference on Human Rights is par excellence the setting in which to find a comprehensive and integrated response that perceives development as human development, in which there must be a proper balance between the economic, social, cultural, civil and political activities and also a satisfactory dialogue between generations on the issue of the preservation of the environment, which is the womb of life.

4. The Conference will afford us the opportunity to contemplate the prospect of an UNCTAD remodelled in the spirit of Cartagena, a GATT on its way to becoming, with the creation of a Trade and Development Organization, the agency we have been waiting for since the 1948 Meeting in Havana, a World Bank and an International Monetary Fund characterized by increasingly democratic processes and no longer mere reflections of the power structure, a strengthened and updated United Nations system free from antagonisms and governed by creative consensus; in a word, a world of freedom and democracy. What must be done to achieve this human development?

5. The substantive elements that would open the way to human development and, consequently, to the full enjoyment of human rights would be the following: democracy, freedom, development ethics or the rule of principle, full exercise of the right to development, international strategy, planning, consensus in place of voting for the exercise of power, an Earth Charter to preserve the ecology, and a Solidarity and Development Charter. In short, a new world order based on international collaboration and cooperation for the full application of the principles and objectives that imbue the United Nations Charter and whose ultimate and primary justification resides in the comprehensive promotion of human rights as the essential basis for ensuring world peace.

Democracy

6. Democracy has gathered impetus by its defeat of totalitarianism and dictatorship. A worldwide democratic groundswell is giving new opportunities for more active and conscious participation by all human beings in shaping their destinies.

7. Nevertheless, in many areas formal democracy is not reflected in reality, since large sectors are marginalized by the prevalence of illiteracy, malnutrition, slums and shanty towns. If democracy is to be fully realized it is essential to wipe out the blots of underdevelopment, establishing a worldwide strategy to eliminate poverty from rich and poor regions and mobilize, motivate and organize the population for a worldwide awakening of consciousness to the fact that it is possible to conquer poverty and thereby allow the population, with that prospect, to assert its presence through active participation in government decision-making, which is the only way to ensure that a democratic system is fully operational. The master key might be a renewed and imaginative effort to make health and education the pivot of our concerns.

8. This creative effort must take account of the ethnic and racial diversity of peoples so that equal priority for attention can be given to all the nationalities and social and cultural strata within a population.

9. Freedom opens up undreamed of potentialities for the development of creative imagination and for promoting the diversity inherent in society and in life. Liberty is the highest expression of the dignity of the human individual, but its use and enjoyment depend to a great extent upon progress and well-being. Consequently, the challenge of creating optimum conditions of freedom is bedeviled by the cancer of poverty afflicting society.

10. It has been shown by a number of developing regions that, despite the serious economic difficulties they are facing, they have strengthened their democratic regimes and established political systems that have put human rights in the forefront of their concerns. This attitude must be supported and recognized by the international community so that the efforts and resources that have been channelled towards this undertaking are not brought to nothing by the disillusionment of societies that are equally in need of living conditions compatible with human dignity, for a state of abject poverty also constitutes a flagrant violation of human rights.

Development

11. Development ethics, or the rule of principles, is the beacon that shines to keep humanity from going off course; an excess of pragmatism is killing the utopian ideals which are our guide for attaining democracy and liberty with full respect for human rights.

12. The essence of all philosophies and religions lies in ethics, and neither history, nor philosophy, nor religion can die, for with them would perish humanity, left face-to-face with nothing but pragmatism and the profit motive and alienated from fellow-feeling.

13. It has been rediscovered that the market economy provides the best conditions for rational allocation of resources and for turning to optimum account the creative effort of labour. But the market economy is hamstrung by the lack of free competition, by the dominating power of the transnational enterprises, and because mastery of technology, which is the key to progress and modernization, is not democratically distributed. This is compounded by the existence of an international financial and monetary system which is closer to chaos than to contributing to development without inflation, which is why an end must be put to speculation, the prime cause of imbalance in the system. A sound and healthy international financial and monetary system must be based on the availability of liquidity to support the development of all peoples, through the creation of a world central bank where, as well as power, the world's trend to democracy can find expression.

14. An international development strategy is imperative as a frame of reference to keep us from losing our bearings; the planning of utopias is inherent in the human spirit; grand designs for the long term develop options for scientific and technological development and for the cultural sphere which give meaning to the evolution of humanity. World-wide harmony is a feasible aim only with appropriate strategies to involve all peoples in overcoming poverty, backwardness and stagnation. Only a world of solidarity and prosperity will be able to afford equal opportunities to all and relegate to the past the great disparities which impede the consolidation of peace and foment subversion.

15. Peace is the most important precondition for development; disarmament opens up undreamed of possibilities for development, releases energies and resources, gives meaning to solidarity, and strengthens creative imagination in the name not of destruction but of construction and preservation of life; peace is the most promising sign of our times.

16. Indicative planning for development does not conflict with the market but gives it direction and harmonizes the numerous options, creating, amid diversity and with deference to pluralism, bridges for rapprochement and understanding. It is a fallacy to oppose market to planning.

Environment

17. When we speak of the environment and development we do not just mean building bridges between the generations to preserve life; we mean that they are a strategic factor for reasserting the values of biodiversity, which are more important than those of the latest technology, since spaceships will probably be used to abandon our planet when we have destroyed it, whereas the values of biodiversity are those which will enable us to maintain life, the landscape, and the wonders of nature which, like those of culture, must become the heritage of mankind. The pioneer work of UNESCO must spread outwards to other spheres.

18. From this viewpoint, whatever commitments may be arrived at in Río de Janeiro will be decisive in the forging of a new relationship between man and his environment and, at the same time, for achieving a level of worldwide development compatible with human dignity.

Human rights

19. A necessary integrating and unifying thread in all the foregoing considerations is the concept of human rights, the essential basis for international relations, justice and worldwide peace. Disregard and contempt for those rights "have resulted in barbarous acts which have outraged the conscience of mankind", as stated in the second paragraph of the preamble to the Universal Declaration of Human Rights of 1948; for only their observance can secure a place for mankind's development - development that must take account of the whole nature of the human individual in his striving to attain ever-wider vistas of dignity, security and well-being.

20. Despite this, international society is still very far from achieving what is broadly enunciated in article 1 of the Universal Declaration of Human Rights, which considers all human beings as born free and equal in dignity and rights. How far, too, is the enjoyment of personal freedom from becoming a practical, living reality! For whatever efforts may be devoted to drafting new laws and international conventions, as long as poverty, marginalization and injustice exist, and until the distressing problems of the Third World are solved, we shall speak in vain of the fraternity and shared aspirations that imbue the United Nations Charter and the Covenants and Conventions which are the basis for international humanitarian action.

21. Democracy, freedom, development and human rights are no more than facets of the destiny of the human individual. When one of them is lacking mankind becomes warped and visionless.

22. It will therefore be the task of the World Conference to seek appropriate means for giving effect to human rights, whether those rights be called political or civil, economic, social or cultural, for they are all indivisible and interdependent, as recognized in the Declaration on the Right to Development. Nor could it be otherwise, since their sole and ultimate expression resides in the integrity and unity of the human person.

23. At this stage the doctrinal debate should be set aside and give place to the concrete propositions that feature in the Universal Declaration of Human Rights, the Declaration on the Right to Development and the International Covenant on Economic, Social and Cultural Rights. In them the scope for strengthening international cooperation is wide and not yet fully explored.

24. Such cooperation is necessary in so far as the full realization of human rights has an undeniable economic cost. Thus, the enjoyment of freedom of opinion will not be possible as long as the cultural possibility of self-expression does not exist, i.e. until illiteracy and the slavery of ignorance are banished for ever and full educational services are effectively available for the entire international community, especially the Third World societies, to enable them to face the challenges of the twenty-first century. Similar observations could be made regarding all the human rights and fundamental freedoms.

Mechanisms

25. The World Conference will have to consider the mechanisms by which to develop and consolidate a worldwide human rights culture that will take into account the increasing importance those rights are acquiring in international relations and in the solving of regional conflicts, enabling the world to progress to an era of understanding and dialogue in contrast to the era of rivalry and distrust.

26. Steps must therefore be taken to strengthen the role of the United Nations system in the promotion of human rights, conceived as the essential basis for the development of the individual and of peoples.

27. In this exercise a review will need to be made of the factors impeding adhesion by some States to the international covenants, conventions and instruments on human rights, so that their universal acceptance becomes possible, and a study made of the difficulties that may be met with in their concrete application.

28. To achieve this, the dissemination and promotion at various levels, domestic and international, of the principles and international legislation concerning human rights will be essential, in order that their purposes and content shall not only be known to States, but be demanded by peoples. In this task the role of the Centre for Human Rights is especially important. For their part, the non-governmental organizations could channel their resources towards this activity.

29. The work of the Commission on Human Rights and of its auxiliary mechanisms - working groups, rapporteurs on specific items, etc. - must be strengthened and even better guarantees provided of universality, objectivity and non-selectivity in the treatment of items. States must undertake to support, with their unreserved cooperation, the important functions carried out at that level.

30. The organs created by virtue of treaties must endeavour to continue the effort to rationalize their procedures and, in addition, should consider the possibility of going beyond the purely declaratory or formal aspects of their activities and approaching their work in such a way that, where the situation requires, they can offer appropriate international assistance and cooperation for obtaining compliance with the obligations contracted by States in subscribing or adhering to an international convention. Similarly, their recommendations for enhancing the application of the international standards will need to be followed up. The proposal put forward to establish a mechanism of this kind in the Committee against Torture is particularly interesting and could serve as a general frame of reference for the work of the other committees.

31. The institutional aspects are fundamental to social systems: they reflect the world power structure which combines national and transnational power in a chain linking the centre to the periphery. This institutional framework is being rapidly transformed by the processes of dismantling of bureaucracies and deregulation which have gathered impetus, so it is of very great interest to analyse these structures within the United Nations system in order to strengthen them and adapt them to major worldwide changes.

32. In this connection it is noteworthy that the commissions and committees involved in dealing with human rights have performed an outstanding role in evaluating the international covenants and conventions adhered to by States. This work has been of great importance for the positive development and putting into effect of human rights throughout the world; however, this activity often resembles that of a court passing judgement rather than of an institution to promote human rights. A balance might accordingly be achieved between these vital aspects, particularly the advisory function and the promotion of human rights, with the collaboration of the Centre for Human Rights and of independent experts, as also through the establishment of national or regional institutions for human rights, on the lines of the Latin American Association for Human Rights (ALDHU), based in Quito.

33. Coordination between the organizations and agencies of the United Nations system must be emphasized with a view to developing joint activities in the interests of respect for and promotion of human rights. In this regard the coordinating role of the Centre for Human Rights will have to be strengthened. To the extent possible, it would be desirable to consider holding joint meetings between United Nations agencies for the study on a continuing basis of new approaches for the development of joint activities.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.157/PC/28
25 March 1992

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Second session
Geneva, 30 March-10 April 1992
Item 7 of the provisional agenda

DATES AND VENUE OF THE WORLD CONFERENCE

Letter dated 12 February 1992 from the Federal Minister for Foreign Affairs of Germany addressed to the Secretary-General of the United Nations

Excellency,

In May last year, the Federal Government extended to your predecessor an offer to host the 1993 World Conference on Human Rights, suggesting Berlin as the conference venue. The General Assembly decided on this application on 17 December 1991.

In the meantime we have examined the preconditions which in the United Nations view, as transmitted to us, are indispensable for convening the World Conference on Human Rights in Berlin. In so doing we had to take account of the decision of the German Bundestag to transfer the seat of Federal bodies from Bonn to Berlin. Our examination of the prerequisites for a host country agreement, bearing in mind Germany's special situation following unification and also the problems arising from Berlin growing together and preparing to assume the function of capital, led us to the conclusion that the conditions described as essential by the United Nations cannot be met. It would therefore seem necessary for the United Nations to decide on a new conference venue. In our view, Geneva might be considered, as the city where such conferences normally take place, unless interest is shown by another country.

Excellency, I would be grateful if you could inform the President of the General Assembly without delay of the results of the Federal Government's investigations, in the context of the General Assembly decision of 17 December 1991, into the possibility of fulfilling the requirements of the host country agreement.

I assure you, Excellency, that the German Government remains committed to the goals of the World Conference, irrespective of the decision taken on the venue. We will make every effort to ensure the success of the conference, which is important for the international community. We regard this conference as a significant contribution to the strengthening of human rights throughout the world, and therefore subscribe wholeheartedly to its aims.

Yours sincerely,

(Signed) Hans-Dietrich Genscher

UNITED
NATIONS

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General Assembly

Dist.
GENERAL

A/CONF.157/PC/29
31 March 1992

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Second session
Geneva, 30 March-10 April 1992
Items 4, 5, 9, 10 and 11 of the agenda

ORGANIZATION OF WORK

PROVISIONAL AGENDA FOR THE WORLD CONFERENCE
AND RELATED DOCUMENTATION

PARTICIPATION OF REPRESENTATIVES OF LEAST DEVELOPED COUNTRIES
IN THE PREPARATORY MEETINGS AND AT THE CONFERENCE ITSELF

REGIONAL MEETINGS

REPORT ON STUDIES AND DOCUMENTATION FOR THE WORLD CONFERENCE

Report of the Chairman of the Commission on Human Rights
at its forty-eighth session

1. In paragraph 3 of its resolution 1992/37, the Commission on Human Rights recommended that a summary of its discussions on the World Conference on Human Rights be made available to the Preparatory Committee. The following report is made in accordance with that recommendation.

2. The deliberations of the Commission on the World Conference on Human Rights began with an opening statement by the Under-Secretary-General for Human Rights. Statements were subsequently made by representatives of the following States: Australia, Chile, China, Colombia, Costa Rica, Cuba, Germany, India, Indonesia, Iran (Islamic Republic of), Italy, Japan, Norway (on behalf of the Nordic States), Portugal, Russian Federation, Senegal, Uruguay and Venezuela. Statements were also made by the following

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non-governmental organizations: International Association of Educators for World Peace, Latin American Federation of Associations of Relatives of Disappeared Detainees and Service, Peace and Justice in Latin America.

3. All speakers confirmed their Governments' support for the holding of the World Conference and their satisfaction at the general progress of the preparations.

4. Most speakers acknowledged that the Conference should be guided by the objectives set out in General Assembly resolutions 45/155 and 46/116 and Commission resolution 1991/30. A number of speakers also stressed the desirability of involving in the work of the Conference the chairpersons of the Commission and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the chairpersons of the treaty bodies and of working groups of the Commission, and Special Rapporteurs, as well as other concerned persons. They also stressed the importance of the widest possible participation of States in the preparatory process and the importance of being represented at the Conference at the highest level of Government. In this connection, some speakers also noted the role and the contribution of non-governmental organizations to the work of the Conference and its preparatory process. Most speakers said that they considered the establishment of the fund for providing financial assistance for the travel of representatives of the least developed countries to be a welcome and important initiative, although some non-governmental organizations expressed the wish for the fund to be broadened to meet the needs of representatives of non-governmental organizations, whose financial means were limited, so as to enhance universality.

5. With regard to the regional meetings, several speakers stated that they were a good opportunity to review the human rights achievements of each region and the obstacles thereto. The meetings should be exclusively for the States of the region concerned, according to one speaker, who also indicated that while his Government had no opposition to the participation of non-governmental organizations in the meeting of his region, they should be from the region and play a consultative role. Another speaker considered that the regional meetings should hear the views of countries with different cultures and national experiences, but without focusing on regional differences that might limit universality.

6. A number of speakers made suggestions relevant to the preparatory Committee's programme of work. One argued that the second session should deal with substantive issues. In particular, it should finalize the agenda and rules of procedure for the World Conference, and should give some initial consideration to the form and even the content of the final document for the Conference. In that respect, the speaker recognized that drafting of the document as such might be premature. Other speakers agreed that work on the agenda was both important and urgent and that the essential themes for consideration by the Conference could already be established, having regard to the objectives laid down by the General Assembly.

7. Most statements made during the debate also referred to substantive elements for consideration either as such or as part of the preparation of studies and documentation for the Conference. Among the specific matters

mentioned as meriting the attention of the Conference were: promoting universal adherence to international human rights instruments and standards, reinforcement of implementation and monitoring mechanisms, the importance of human rights education and training, the need for increased resources for human rights programmes, including resources for the World Conference, reaffirmation of the indivisibility and interrelationship of all forms of rights, enhancing public awareness of human rights and identifying the principles applicable to, and encouraging the development of, national or regional institutions. Other suggested topics included the impact of extreme poverty, terrorism and other obstacles to the realization of human rights, the promotion of the rights of women, indigenous peoples (having regard in particular to the International Year for the World's Indigenous People in 1993), new proposals for effective responses by the United Nations to emergency human rights situations, impunity of human rights violators and measures to rationalize and improve present systems of reporting and follow-up of human rights at the national level.

8. Many speakers emphasized that the focus of interest should be towards implementation of existing human rights norms, although some proposals were made for adjustment or revision of existing instruments and the development of new standards and mechanisms in particular areas. One speaker expressed the view that full implementation needed to take into account the particular characteristics of different States, but rejected politically created obstacles to implementation. Others identified undesirable phenomena that affected implementation: politicization, ideological elements and fragmentation of rights, the selective use of human rights to attack other States and interference in the internal affairs of States. Some speakers considered that different levels of development might entail different human rights safeguards, which were matters for each country to decide in light of its own circumstances. Other speakers stressed the legitimacy of international concern about human rights situations and the need for full implementation of human rights-related undertakings which have been freely accepted. Some speakers proposed the establishment of new mechanisms, such as a court of human rights or a high commissioner for human rights. Proposals were made for an objective evaluation of human rights in all countries and a further proposal was made for an integrated study of international instruments, procedures and mechanisms. One speaker suggested the preparation by each State of a national human rights action plan, based on its own situation, for implementation. According to another speaker, new ideas were needed to help lead States to give full effect to the instruments they had accepted, including the integration of human rights into the forefront of the programmes of United Nations agencies and greater coordination of activities in support of vulnerable groups.

9. Several speakers dealt specifically with the relationship between development, democracy and human rights. Some States attached much importance to the relationship between development and human rights, with the key to the realization of human rights being social progress, stability and economic development. One speaker said that, for (his) Government the World Conference would be an opportunity to show that the right to development synthesized all other categories of human rights and several speakers indicated the importance of maintaining the principles of interdependence, indivisibility and

non-selectivity of rights. Another speaker indicated that while democracy was a prime factor in development, it could not by itself guarantee the achievement of all categories of rights. One speaker mentioned the desirability of avoiding confrontation in that context between North and South, while others stated the position of their Governments on a connection between development assistance and the implementation and promotion of human rights.

10. On the completion of the debate, the Commission adopted resolution 1992/37.

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General Assembly

Distr.
GENERAL

A/CONF.157/PC/30
31 March 1992

Original: ENGLISH

WORLD CONFERENCE ON HUMAN RIGHTS

Preparatory Committee
Second session
Geneva, 30 March - 10 April 1992
Item 7 of the agenda

DATES AND VENUE OF THE WORLD CONFERENCE

Letter dated 31 March 1992 from the Permanent Representative of Austria addressed to the Under Secretary-General for Human Rights

I have the honour to forward to you the copy of a letter sent today by the Minister for Foreign Affairs, Mr. Alois Mock, to the Secretary-General informing him of the decision taken by the Federal Government of Austria to invite the World Conference on Human Rights to be held in Vienna in June 1993.

I would be grateful if this letter could be circulated as an official document of the second session of the Preparatory Committee of the World Conference.

Vienna, 31 March 1992

Mr. Secretary-General,

Following the announcement made at the last session of the Commission on Human Rights in Geneva that the World Conference for Human Rights cannot be held as planned in Berlin, the Austrian Government has considered the possibilities for hosting the Conference in Vienna. It is a particular pleasure for me to inform you of the decision taken by the Austrian Federal Government on 31 March 1992 to invite the Conference to be held in Vienna in June 1993.

In extending this invitation, my Government wishes to highlight the importance Austria attaches to an effective international system for the protection and promotion of human rights and fundamental freedoms. This time is especially propitious for a World Conference on Human Rights: achievements as well as shortcomings of the current system need to be reviewed, a course for the future has to be charted.

It is my hope that this invitation will be accepted favourably by the General Assembly in due course.

Please accept, Mr. Secretary-General, the assurances of my highest consideration.

(Signed) Alois Mock

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General Assembly

Distr.
GENERAL

A/CONF.157/PC/31
1 April 1992

ENGLISH
Original: FRENCH

WORLD CONFERENCE ON HUMAN RIGHTS
Preparatory Committee
Second session
Geneva, 30 March-10 April 1992
Agenda item 7

DATES AND VENUE OF THE WORLD CONFERENCE

Letter dated 31 March 1992 from the Permanent Representative of Italy to the United Nations Office at Geneva addressed to the Chairman of the Preparatory Committee

At the latest session of the Commission on Human Rights, Italy had stated that it was willing to consider hosting the World Conference in Venice. Accordingly, on 4 March 1992 an evaluation team including two senior United Nations officials visited the available premises and facilities, so as to work out organizational matters. The period in which the Conference might be held has, in principle, been set for the second half of May 1993.

As you know, Italy is on the eve of general elections, scheduled for 5 and 6 April 1992. Consequently, it will be for the next Government to make a formal proposal, as soon as possible, on arrangements to organize the World Conference on Human Rights in Italy.

In view of Italy's interest in hosting the Conference, the Italian delegation urges the Preparatory Committee to consider the possibility of postponing a decision for a few weeks on the venue of the Conference, bearing in mind the institutional exigencies I have mentioned.

I would ask you to circulate the present communication as an official document, under agenda item 7, of the second session of the Preparatory Committee, being held at Geneva.

(Signed) Giulio di Lorenzo Badia

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